

Town Board Meeting

Town of Bergen

May 12, 2015

I Audit of the bills 6:45pm, Call to Order 7:00pm.

Prayer Almighty God, grant us wisdom that we may remember as we work, that we are servants of our constituency and all our decisions should be in the best interests of the Town and its citizens, entirely unblemished by any thoughts of personal benefit. Bless us with tolerance and understanding for opinions differing from our own and help us keep an open mind in gathering information before voting on all issues. Help us overcome any ignorance of our duties and enable us to learn more of the intricacies of the roles we have assumed. May we rest assured to know You are with us and will guide us through all we do. Amen.

Pledge to the flag

II Privilege of the Floor - None Scheduled.

III Approval of Meeting Minutes for - April 28th, 2015

IV Communications:

1. Supervisors Report for April 2015
2. Summary Spreadsheets for April 2015
3. Town Clerks Report for April 2015
4. ZEO/CEO Report for April 2015
5. Notice from Time Warner Cable
6. Sponsorship form from BBKA for the Bergen Park Festival
7. Copy of Letter from NYSDEC to Monroe Co., Re: Comments on Proposed Mill Seat Landfill Expansion.

V Board Members' items for addition to the agenda

VI Reports:

-Zoning / Code Enforcement
- Review open building permits
- Discuss Swamp Road complaint
-Highway

-Committees

-Parks
- Briefing from 5/5/15 meeting.
- Committee appointments.
-Buildings, Grounds & Facilities.
- Briefing from 5/11/15 meeting.
-Village Relations
- Joint meeting set for May 26th 2015.

VII Old Business:

- Discuss sign opportunity from the Bergen F.D.

VIII New Business:

- Resolution to adopt NYS Uniform Assessment Standards, and support reassessment for reassessment for the 2016 assessment roll.
- Approve sponsorship for Bergen Park Festival

IX Reports & Bills: - Action to file Town Clerks Report.

- Detailed budget reports provided separately due to size.
- Approve payment of the bills.

X Executive Session - to discuss Town security issues and position appointment.

XI Next Meeting Day: Next Meeting, Tuesday May 26th, 6:30 pm in the Courtroom.

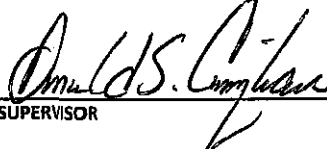
XII Adjournment:

TOWN OF BERGEN
MONTHLY REPORT OF SUPERVISOR
APRIL 2015

①

FUND #		No.	FUND	3/31/2015 BALANCES	Increases	Decreases	4/30/2015 BALANCES
A	GENERAL TOWNWIDE	200	CASH - CHECKING	190,043.38	24,199.93	27,167.04	187,076.27
		201	CASH - SAVINGS	464,342.28	19,117.95	48,101.74	435,358.49
		231	CASH - CASH RESERVE	-	-	-	-
		TOTAL			654,385.66 ✓	43,317.88	75,268.78
B	GENERAL OUTSIDE VILLAGE	200	CASH - CHECKING	-	5,061.17	5,061.17	-
		201	CASH - SAVINGS	218,702.69	916.00	7,521.42	212,097.27
		TOTAL			218,702.69 ✓	5,977.17	12,582.59
DB	HIGHWAY OUTSIDE VILLAGE	200	CASH - CHECKING	(8,577.84)	6,568.13	10,857.05	(12,866.76)
		201	CASH - SAVINGS	391,539.79	44,677.45	22,677.66	413,539.58
		TOTAL			382,961.95 ✓	51,245.58	33,534.71
SM	FIRE DISTRICT	200	CASH - CHECKING	-	-	-	-
		201	CASH - SAVINGS	77,713.77	-	-	77,713.77
		TOTAL			77,713.77 ✓	-	-
SWA	WATER DISTRICT 2	200	CASH - CHECKING	-	-	-	-
		201	CASH - SAVINGS	198,578.80	-	-	198,578.80
		TOTAL			198,578.80 ✓	-	-
SWB	WATER DISTRICT 3	200	CASH - CHECKING	-	-	-	-
		201	CASH - SAVINGS	56,709.80	-	-	56,709.80
		TOTAL			56,709.80 ✓	-	-
HA	TOWN HALL RELOCATION	200	CASH - CHECKING	-	-	-	-
		201	CASH - SAVINGS	45,015.49	-	-	45,015.49
		TOTAL			45,015.49 ✓	-	-
HB	PEACHEY RD WATER DISTRICT	200	CASH - CHECKING	-	-	-	-
		201	CASH - SAVINGS	34,875.76	-	-	34,875.76
		TOTAL			34,875.76 ✓	-	-
TA	TRUST & AGENCY	200	CASH - CHECKING	28,636.99	39,609.76	41,814.95	26,431.80
		TOTAL			28,636.99 ✓	39,609.76	41,814.95
L	LIBRARY	200	CASH - CHECKING	84,659.18	11,777.31	11,450.06	84,986.43
		201	CASH - SAVINGS	(2,523.79)	8,337.19	11,450.06	(5,636.66)
		201	CASH - MONEY MARKET	20,794.77	-	-	20,794.77
		TOTAL			102,930.16 ✓	20,114.50	22,900.12
TOTAL ALL FUNDS				1,800,511.07 ✓	160,264.89	186,101.15	1,774,674.81 ✓

Pursuant to Section 125 of the Town Law, I hereby render the following detailed statement of all moneys received and disbursed by me during the month of:
APRIL 2015


 SUPERVISOR 5/11/15
 Date

Town Of Bergen Bank Reconciliation

Month: April 2015

FUND	OPENING BAL	Month: April 2015										HB Peachey Water District
		A	B	DB	SM	SWA	SMB	L	TA	HA	HB	
Cast Accts	Fund Balance	Downside Village	Outside Village	HW Outside Village	Fire District	Water District	Peachey Water District	Library	Payroll Rec	Town Hall Relat		
Operating (FNB 5008)	\$ 181,485.54	\$ 190,043.38	\$ -	\$ (8,577.84)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Payroll (FNB 5110)	\$ 28,636.99	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 28,636.99	\$ -	\$ -	\$ -
Savings (FNB 5016)	\$ 1,484,954.59	\$ 464,342.28	\$ 218,702.69	\$ 391,539.79	\$ 77,713.77	\$ 198,578.80	\$ 56,709.80	\$ (2,523.79)	\$ -	\$ 45,015.49	\$ -	\$ 34,875.76
Library Checking	\$ 84,659.18	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 84,659.18	\$ -	\$ -	\$ -	\$ -
Library Money Market	\$ 20,794.77	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 20,794.77	\$ -	\$ -	\$ -	\$ -
Total All	\$ 1,800,911.07	\$ 654,385.65	\$ 218,702.69	\$ 382,961.95	\$ 77,713.77	\$ 198,578.80	\$ 56,709.80	\$ 102,930.16	\$ 28,636.99	\$ 45,015.49	\$ -	\$ 34,875.76
SAVINGS												
Deposits												
Town Clerk	\$ 1,511.51	\$ 595.51	\$ 916.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Justices	\$ 9,718.00	\$ 9,718.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Snow & Ice	\$ 44,677.44	\$ -	\$ -	\$ 44,677.44	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Interest & Penalties	\$ 1,827.76	\$ 1,827.76	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Library Ins Dividend	\$ 281.70	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ 281.70	\$ -	\$ -	\$ -	\$ -
Other	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Deposits	\$ 58,016.41	\$ 12,141.27	\$ 916.00	\$ 44,677.44	\$ -	\$ -	\$ -	\$ 281.70	\$ -	\$ -	\$ -	\$ -
Interest	\$ 60.81	\$ 60.81	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Transfers OUT	\$ 39,223.90	\$ 24,199.93	\$ 5,061.17	\$ 6,568.13	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Payroll Trans OUT	\$ 35,555.71	\$ 16,985.94	\$ 2,460.25	\$ 16,109.52	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
ACCT BAL	\$ 1,468,252.90	\$ 435,368.48	\$ 212,097.27	\$ 413,539.58	\$ 77,713.77	\$ 198,578.80	\$ 56,709.80	\$ (5,636.66)	\$ -	\$ 45,015.49	\$ -	\$ 34,875.76
OPERATING												
TRANSFERS IN	\$ 39,223.90	\$ 24,199.93	\$ 5,061.17	\$ 6,568.13	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Interest	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
DISBURSMENTS	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Abstract 6	\$ 39,223.90	\$ 24,199.93	\$ 5,061.17	\$ 6,568.13	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Pre pay	\$ 1,488.17	\$ 1,488.17	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Pre pay	\$ 5,767.86	\$ 1,478.94	\$ -	\$ 4,288.92	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Disb	\$ 46,479.83	\$ 27,167.04	\$ 5,061.17	\$ 10,857.05	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
ACCT BAL	\$ 174,209.51	\$ 187,076.27	\$ -	\$ (12,866.76)	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -



PAYROLL 2018 \$ Monthly Deposits		2018 30,659.90						
DEP & TRANSFERS								
Pay 8	\$	22,058.75	\$ 7,142.41	\$ 976.27	\$ 8,054.76			
Pay 9	\$	16,173.44	\$ 12,920.01	\$ 1,483.98	\$ 8,054.76			
Transfer Diff	\$	(2,676.48)						
Total Dep& Trans	\$	35,555.71	\$	2,460.25	\$	16,109.52	\$	35,555.71
DISBURSEMENTS								
Pay 8 Net Pay	\$							\$ 10,688.31
Pay 9 Net Pay	\$							15,332.82
NYS retirement	\$							912.18
Payroll Tax Liabilities	\$							9,361.95
Alloc	\$							87.36
Union	\$							212.00
NYS Def Comp	\$							993.65
Payroll billing	\$							172.63
Total Disb	\$							37,760.90
ACCT BAL	\$							26,431.80
LINDA/CHIEFING								
SERV CHARGE	\$							2.09
INTEREST	\$							325.16
DEPOSITS	\$							84,986.43
ACCT BAL	\$							20,794.77
LINDA/NOBLE								
TRANSFERS	\$							
INTEREST	\$							
DEPOSITS	\$							
ACCT BAL	\$							20,794.77
CLOSING BAL								
CASH Assets	\$	174,209.51	\$	187,076.27	\$	(12,866.76)	\$	
Operating (FNB 5090)	\$							
Payroll (FNB 5110)	\$	26,431.80						26,431.80
Savings (FNB 5016)	\$	1,468,262.30	\$	435,368.49	\$	212,097.27	\$	(5,636.66)
Rec/Park Res	\$							
Library Chk (BOC 1799)	\$	84,986.43						84,986.43
Library MM (FNB 6908)	\$	20,794.77						20,794.77
Total AU	\$	1,774,674.81	\$	622,434.78	\$	212,097.27	\$	26,431.80
								45,015.49
								34,875.76



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Permit Report By Type

04/01/2015 - 04/29/2015

Permit Type

Permit #	Applicant	Parcel Location	SBL#	Issued	Valuation	Fee Amount
Other						
BP-0003-2015	Hohn Farms Inc	7161 Townline Rd	10.-2-40.11	04/15/2015	0.00	0.00
					Other Total:	1
					Amount Totals:	0.00
Res-Acc Structure						
BP-0004-2015	George Vanderstow	7123 North Bergen Rd	9.-1-5	04/17/2015	0.00	70.00
					Res-Acc Structure Total:	1
					Amount Totals:	70.00
					Permit Grand Total:	2
					Amount Grand Totals:	0.00
						70.00



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Chris Mueller
Director of Local Franchising, Corporate

April 29, 2015

Dear Municipal Official:

More than a year ago, Time Warner Cable Inc. ("Time Warner Cable"), the ultimate parent of the cable franchisee in your community, and Comcast Corporation ("Comcast") entered into an agreement to merge and Comcast then agreed to transfer certain systems to Charter Communications. As you probably know, last Friday, Comcast terminated those agreements and this letter is to let you know that Time Warner Cable will now continue as the operator of the cable system in your community.

I want to take this opportunity to assure you that Time Warner Cable remains financially and operationally strong, and we are committed to continue to deliver great experiences to our customers.

As always, if you have any questions, feel free to call me at 585-756-1326 or send an email to chris.mueller@twcable.com.

Sincerely,

A handwritten signature in cursive script, appearing to read "Chris Mueller".

Chris Mueller
Director, Local Franchising
Time Warner Cable – Northeast Region

71 Mt. Hope Avenue
Rochester, NY 14620

05/06/15
DSE

The 26th Annual Bergen Park Festival

Friday, June 12th – Fish Fry Saturday, June 13th Festival

This annual event is such a success because of YOU, the sponsors. Please help us bring a joyful family oriented day to our neighbors again this year. We will advertise all sponsors names and appreciate ANY level of support.

Please make checks payable to: BBCA
And mail to: Bergen Park Fest, PO Box 24, Bergen, NY 14416



\$500.00 Level

\$250.00 Level



\$100.00 Level



\$50.00 Level

Norman Rockwell



\$25.00 Level

This year's theme is "Small Town USA"

Donations due by May 30th to get your name on the Sponsor Board!

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NEW YORK STATE DEPARTMENT OF ENVIRONMENTAL CONSERVATION

Division of Environmental Permits, Region 8
6274 East Avon-Lima Road, Avon, NY 14414-9516
P: (585) 226-5400 | F: (585) 226-2830
www.dec.ny.gov

May 8, 2015

Via e-mail and U.S. Mail

Michael J. Garland, PE
Monroe County Department of Environmental Services
50 W Main St
Rochester, NY 14614

Re: Proposed Mill Seat Landfill Expansion
SEQR Draft SEIS
DEC Application No. 8-2648-00014/00011
Town of Riga, Monroe County

Dear Mr. Garland:

The NYS Department of Environmental Conservation (DEC) has received the State Environmental Quality Review Act (SEQRA) Draft Supplemental Environmental Impact Statement (DSEIS), which Monroe County has accepted and provided for review and comment on April 1, 2015. As proposed, the Mill Seat landfill expansion project includes construction of an additional 118.3 acres of double composite liner landfill area and 39.2 acres of overlay on the currently permitted landfill footprint.

Based on our review as an involved agency pursuant to SEQRA, the Department offers the following comments on the DSEIS, per our agreement to provide comments to Monroe County by May 8, 2015. The comments below are organized to follow the sections and headings or Attachments contained in the DSEIS:

1. Summary S.5.4 Surface Water Resources and Section 3.4 of the DSEIS – With regards to the proposed Ecological Restoration and Management Plan, the Department would like to see remaining on-site wetlands (RG-5 and RG-7) protected in perpetuity as part of the mitigation for the loss of RG-6 and long-term plan for the site. For example, this may take the form of a conservation easement held by an appropriate non-municipal third party.
2. Summary S.5.10 Historic and Cultural Resources – At the end of the second paragraph add an additional sentence indicating that the cultural resources reports have also been provided to the Seneca Nation of Indians, Tonawanda Seneca Nation and Cayuga Nation.
3. Summary S.5.13 Noise and Section 3.13.2 Receptor Impacts - Reference to the EPA noise guidance should be removed. The Part 360 regulations and Division of Environmental Permits Program Policy DEP-00-1 already provide a time-tested framework for evaluating noise associated with landfills. Further, the 55 dBA standard in the EPA guidance is a day-night equivalent sound level (L_{dn}) that does not appear to be directly comparable with the predicted sound levels, which are based on a one-hour L_{eq} .



Department of
Environmental
Conservation

4. Section 2.4.6. Water Quality Monitoring Requirements - The Department has not yet completed its technical review of the updated Environmental Monitoring Plan (EMP); therefore, it is too soon to state that the updated Environmental Monitoring Plan (EMP) satisfies the requirements of Part 360. However, it is accurate to state that the approved EMP in effect for the existing landfill satisfies Part 360 requirements.
5. Section 2.6.1. Hours of Operation - Landfill operation, including daily cover placement, is proposed to begin at 6 a.m. This appears to be in conflict with Section 3.1 of the Operating Noise Impact Assessment in Attachment J, which states that anticipated hours of operation will be during the daytime period. The noise assessment will need to be revised to take into account operational noise occurring before 7 a.m. to ensure that the 47 dBA sound level in Part 360-1.14(p) will not be exceeded.
6. Attachment G, Visual Impact Assessment, Section 4.5 - Based upon the topographic survey from the 2014 annual facility report and site visits by NYSDEC staff, the permitted and proposed conditions for Vantage Point #1 appear to understate the final profile of the landfill. The top of the existing landfill is currently at an elevation of approximately 810 feet according to the survey. The maximum permitted final cover elevation is 875 feet, a difference in vertical distance of about 65 feet. The photos do not appear representative of this change in vertical distance.
7. Attachment G, Visual Impact Assessment, Section 4.5 - Bovee Road should be included in the analysis since Figure 1 Viewshed Map indicates landfill visibility in this area. The addition of some tree plantings should be considered along affected segments of Bovee Road.
8. Attachment J, Operating Noise Impact Assessment, Section 5.1 - Based upon the measured working face sound levels and distances to working face operations provided in Table 5, it appears that a variance from Part 360-1.14(p)(4) will be required for the Part 360 application based on expected equipment sounds levels at 50 feet (must not exceed 80 dbA at 50 feet).
9. Attachment J, Operating Noise Impact Assessment, Section 6.2 - Please include the cross sectional profiles between the landfill and the various noise monitoring locations as it is difficult to evaluate the noise propagation calculations in Appendix A without them.
10. Attachment J, Operating Noise Impact Assessment, Section 7.0 - Please include the sound level measurements recorded for each location (in graph form with respect to time) and the instrument calibration logs.
11. Attachment J, Operating Noise Impact Assessment, Section 7.2 - See comment #3 regarding the EPA noise guidance.
12. Attachment J, Operating Noise Impact Assessment, Figure 2 - It is difficult to locate the properties with environmental easements that are listed in Appendix B relative to the proposed landfill footprint. Please identify these specific properties on Figure 2 and include the applicable tax parcel numbers.

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M. Garland, May 8, 2015
Draft SEIS
Page 3

13. Attachment J, Operating Noise Impact Assessment, Section 5.0 - The noise assessment should also be revised to address potential noise impacts due to any changes in gas control associated with the expansion that will occur through flares or the gas-to-energy facilities. This would include any changes in the location(s) of existing flares, or the addition of new flares, and any changes proposed at the gas-to-energy facility related to the landfill expansion. Any potential noise impacts associated with these components of the facility should be addressed in a manner consistent with the Department's program policy on "Assessing and Mitigating Noise Impacts" (DEP-00-001).

Thank you for the opportunity to provide written comments on the Draft SEIS for this project. The Department will continue to review the submitted Part 360, Article 24, Title V and 401 Water Quality Certification applications and anticipates providing comments on these applications by the agreed upon Completeness Determination deadline of May 29, 2015.

If you have any questions about this letter, you may contact me at (585) 226-5469 or matthew.griffiths@dec.ny.gov.

Thank you.


Matthew J. Griffiths
Environmental Analyst

- ECC: Paul D'Amato, DEC Region 8
- Dennis Harkawik, DEC Region 8
- Scott Sheeley, DEC Region 8
- Scott Foti, DEC Region 8
- Mark Amman, DEC Region 8
- Mark Domagala, DEC Region 8
- Tom Marriott, DEC Region 8
- Michele Kharroubi, DEC Region 8
- Scott Jones, DEC Region 8
- Joseph Rowley, Buffalo USACE
- Jeffrey Richardson, Waste Management WNY
- Luann Meyer, Barton & Loguidice
- Robert Ottley, Supervisor, Town of Riga
- Donald Cunningham, Supervisor, Town of Bergen